

REGULAR MEETING OF
THE GOVERNING BODY
JUNE 25, 2003
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 4:00 P.M.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. INVOCATION
4. ROLL CALL
5. APPROVAL OF AGENDA
6. APPROVAL OF CONSENT CALENDAR
7. APPROVAL OF MINUTES: Reg. City Council Mtg. -- May 28, 2003
Reg. City Council Mtg. -- June 11, 2003
8. PRESENTATIONS
 - a) Employee of the Month for June 2003 – Tim L’Esperance; Fire Department Mechanic.
 - b) Introduction of 2003 Law Enforcement Academy Graduates and New Officers. (Chief Beverly Lennen)
 - c) Muchas Gracias -- Demonette of the Year – Valerie Gonzales, Santa Fe High School.
9. CONSENT CALENDAR
 - a) Bid No. 03/59/B – Traffic Calming Projects Cycle Two, Phase Two; R.L. Leeder. (Carrie LaCrosse)
 - b) Request for Approval of Grant Award – ArtWorks Program; Anonymous Donor. (Sabrina Pratt)
 - 1) Request for Approval of Budget Increase/Transfer – Grant Fund/Project Fund.

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- c) Request for Approval of Grant Award – Awards for Excellence in Arts Event; Century Bank.
 - 1) Request for Approval of Budget Increase – Grant Fund.
- d) Request for Approval of Grant Award – Library Books and Computers; New Mexico State Library. (Susie Sonfield)
 - 1) Request for Approval of Budget Increase – Grant Fund.
- e) Request for Approval of Memorandum of Agreements – Santa Fe Metropolitan Organization (MPO) Grants; New Mexico State Highway and Transportation/Santa Fe Metropolitan Planning Organization. (Robin Elkin)
- f) Request for Approval of Procurement Under State Price Agreements – Library Books. (Susie Sonflieth)
 - 1) Book Wholesalers Inc.
 - 2) Ingram Library Services
 - 3) The Baker & Taylor Co.
- g) Request for Approval of Procurement Under State Price Agreement – Tires for City Vehicles. (Robert Rodarte)
 - 1) Continental General Tire
 - 2) Bridgestone/Firestone
 - 3) The Goodyear Tire & Rubber Co.
 - 4) Michelin North American
- h) Request for Approval of Sole Source Procurement and Professional Services Agreement – Santa Fe Animal Shelter. (Chief Beverly Lennen)
- i) Request for Approval of Professional Services Agreement – Advertising Services for Santa Fe Trails Buses, Shelters and Benches (RFP No. 2003/18/P); Templeton Marketing Services. (Joyce Bond)
- j) Request for Approval – Comprehensive Insurance Program Coverages; Willis. (Henry Aranda)
 - 1) Request for Approval of Budget Increase – Risk Management.

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- k) Request for Approval of Amendment No. 4 to Legal Services – Consulting Services for San Juan-Chama Diversion Project/NEPA; Kirkpatrick & Lockhart, LLP. (Robert Kidd)
- l) Request for Approval of Amendment No. 4 to Legal Services Agreement – Mark F. Sheridan, Esq. (Holland and Hart, LLP) (Robert Kidd)
- m) Request for Approval of Sole Source Procurement and Amendment No. 2 to Professional Services Agreement – Consulting Services for Various Water Projects/Issues; Norman Gaume, P.E. (Kyle Harwood)
- n) Request for Approval of Amendment No. 5 to Legal Services Agreement – Various Water Issues; Montgomery & Andrews, P.A. (Kyle Harwood)
- o) Request for Approval of Professional Services Agreements – Economic Development Services. (Steve Whitman)
 - 1) Santa Fe Business Incubator, Inc.
 - 2) Santa Fe Economic Development, Inc.
- p) Request for Approval of Amendment No. 3 to Professional Services Agreement – CVB Advertising Services State Grant; Maverick Advertising and Public Relations, Inc. (Darlene Griego)
- q) Request for Approval of Amendment No. 5 to Professional Services Agreement – CVB Advertising Services Renewal; Maverick Advertising & Public Relations, Inc. (Darlene Griego)
- r) Request for Approval of Memorandum of Agreement – Park & Ride Lot; New Mexico State Highway and Transportation Department. (Leroy Pacheco)
 - 1) Request for Approval of Budget Increase – Project Fund.
- s) CONSIDERATION OF RESOLUTION NO. 2003-_____.
A Resolution Relating to a Request for Approval of Year End Budget Adjustments for FY 2002/2003. (Kathryn Raveling)

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- t) Request to Publish Notice of Public Hearing for July 30, 2003 City Council Meeting:
 - 1) BILL NO. 2003-26: An Ordinance Amending Section 22-6.6 SFCC 1987, Repealing Section 7 of Exhibit A to Chapter 22 SFCC 1987 and Creating a New Section 7 of Exhibit A to Chapter 22 SFCC 1987, and Amending Section 14-9.3(C) SFCC 1987 Regarding Wastewater Utility Expansion Charges. (Councilor Ortiz, Councilor Bushee, Councilor Wurzbarger and Councilor Lopez) (Costy Kassisieh)
 - a) CONSIDERATION OF RESOLUTION NO. 2003-_____. (Councilor Ortiz)
A Resolution Repealing Resolution No. 1991-4 Regarding Wastewater Development Fees.
 - 2) BILL NO. 2003-27: An Ordinance Creating a New Section 11-2.5 SFCC 1987 Regarding the Review of all Fees and Charges Assessed by the City Prior to the Recommendation of the Annual Budget. (Councilor Chavez)
- u) Request for Approval of Sole Source Procurement and Professional Services Agreement – Administrative and Policy Assistance Services for Fair Housing Program; Enterprise Foundation. (Alexandra Ladd)
- 10. CONSIDERATION OF RESOLUTION NO. 2003-_____. (Councilor Ortiz and Councilor Lopez)
A Resolution Directing Staff to Adopt Policies and Procedures for the City's Government Access Television Channel and to Coordinate with Northern New Mexico Radio Foundation to Establish Protocols and Programming Priorities for Programming to be Provided Under the Current Agreement Between New Mexico Radio Foundation and the City.
- 11. Case No. A 2003-06. Plaza Santa Fe/Payless Shoes. Determination of Whether to Invoke Section 14-2.2(A)(2)(a) to Review the Planning Commission's Decision to Uphold the Plaza Santa Fe/Payless Shoes' Appeal from the Water Budget Administrative Office's (WBAO) Decision to Apply the Offset Program for Building Permit No. 03-201 Located at 3517 Zafarano Drive. (Bruce Thompson)

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12. Request for Reconsideration of Approval of Bid No.03/61/B – Rain Barrels for Water Division; Home & Garden Innovations.
 - a) Request for Approval of Purchase Agreement; Home & Garden Innovations.
 - b) Request for Approval of Budget Adjustment – Water Enterprise Fund.
13. Request from Café Paris for Approval of Temporary License Agreement for Use of Burro Alley. (Paul Perrier, Café Paris)
14. MATTERS FROM THE CITY MANAGER
15. MATTERS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

The City of Santa Fe is a Party Amicus in the Case of Minnow v. Keys Recently Decided by the Tenth Circuit. Discussion is Requested on the Impact of that Decision on the City's San Juan Chama Project Water in Order to Review Litigation Options in that Case and on Related Litigation that is Threatened as a Result of that Decision. The Session is Sought Pursuant to §10-15-1 H (7) and (8) NMSA.

16. MATTERS FROM THE CITY CLERK
17. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. INVOCATION
- D. ROLL CALL
- E. PETITIONS FROM THE FLOOR
- F. APPOINTMENTS

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G. PUBLIC HEARINGS:

- 1) Request from Bumble Bee's Baja Grill, LLC for a Restaurant (Beer & Wine) License to be Located at Bumble Bee's Baja Grill, 301 Jefferson. (Yolanda Y. Vigil)
- 2) Request from Jake's Dining Co., Inc. for a Transfer of Ownership of Dispenser License #2517 from Nerio S. Gonzales to Jake's Dining Co., Inc. This License will Remain at the Santa Fe's Bar & Grill, 187 Paseo de Peralta. (Yolanda Y. Vigil)
- 3) Request from Michael O'Reilly, Inc. for the following: (Yolanda Y. Vigil)
 - a) A Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcoholic Beverages at the O'Keeffe Café, 217 Johnson Street, Which is Within 300 Feet of the First Presbyterian Church, 208 Grant Street;
 - b) If the Waiver of the 300 Foot Restriction is Granted, a Request for a Restaurant (Beer & Wine) License to be Located at the O'Keeffe Café, 217 Johnson Street.
- 4) CONSIDERATION OF RESOLUTION NO. 2003-____. (Mayor Delgado)
A Resolution Proclaiming Severe or Extreme Drought Conditions in the City of Santa Fe and Restricting the Sale or Use of Fireworks Within the City of Santa Fe. (Chief Sperling)
- 5) CONSIDERATION OF BILL NO. 2003-10: ADOPTION OF ORDINANCE NO. 2003-____.
Case ZA 2003-02. Acequia Bonita Subdivision Rezoning. Richard Gorman, Agent for Don Gorman and Suzanne Jacquez Requests Rezoning for Approximately 1.074 Acres Located at the Mid-Block of the East Side of Harrison Road Between Agua Fria and Cerrillos Road from the Current Zoning of R-2 (Single Family Residential, 2 Dwellings per acre) to R-5, R-6 or R-7 (Single Family Residential, 7 Dwellings per acre). The Application Includes a Request for Development Plan Approval. The Property is Designated on the Future Land Use Diagram of the 1999 General Plan as "Low Density Residential" (3 to 7 Dwellings Per Acre). (Ron Quarles) **(Postponed at May 14, 2003 City Council Meeting)**

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- 6) Case No. AB 2002-03. 127 Duran Street Appeal. Martha Baca and Paul Pacheco Appeal the Decision of the Board of Adjustment's November 20, 2002 Denial of an Appeal of an Administrative Official's Determination Pertaining to Applicable Building Setbacks and the Issuance of Permit No. 02-2080 Re: Board of Adjustment Case No. AB 2002-02. The Property is Located at 127 Duran Street and is Zoned RM-2 (Multi-Family Residential, 29 Dwelling Units Per Acre). (Greg Smith) **(Postponed at June 11, 2003 City Council Meeting) (PUBLIC HEARING CLOSED)**
- 7) CONSIDERATION OF BILL NO. 2003-14: ADOPTION OF ORDINANCE NO. 2003-____. (Councilor Heldmeyer, Councilor Wurzburger and Councilor Chavez)
An Ordinance Creating a New Section 14-5.2(K) SFCC 1987 Requiring Review of an Historic Compound Plan by the Historic Design Review Board. (James Hewat)
- 8) CONSIDERATION OF BILL NO. 2003-19: ADOPTION OF ORDINANCE NO. 2003-____. (Finance Committee)
An Ordinance Amending Section 22-10.7 SFCC 1987 Regarding Wastewater Sampling; Creating a New Section 22-13 SFCC 1987 Regarding Treated Effluent Management; Amending Exhibit A of Chapter 22 SFCC 1987 Regarding Sanitary Sewer Charges and Fees; and Repealing Section 25-6 SFCC 1987 Regarding Treated Effluent Management. (Dennis Gee)
- 9) CONSIDERATION OF BILL NO. 2003-20: ADOPTION OF ORDINANCE NO. 2003-____. (Finance Committee)
An Ordinance Repealing Section 7-2.2A(6) and Creating a New Section 7-2.2A(6) SFCC 1987 Regarding Building Permit Fees. (Jim Salazar)
- 10) CONSIDERATION OF BILL NO. 2003-21: ADOPTION OF ORDINANCE NO. 2003-____. (Finance Committee)
An Ordinance Amending Section 21-7.1 and Exhibit B of Chapter 21 Relating to Refuse Collection and Disposal Rate and Fee Schedule.

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- 11) CONSIDERATION OF BILL NO. 2003-22: ADOPTION OF ORDINANCE NO. 2003-____. (Finance Committee)
An Ordinance Creating a New Section 13-1 SFCC 1987 Establishing a Stormwater Utility Service Charge for all Utility Customers of the City of Santa Fe. (Lawrence Ortiz and Mike Lujan)
- 12) CONSIDERATION OF BILL NO. 2003-23: ADOPTION OF ORDINANCE NO. 2003-____. (Finance Committee)
An Ordinance Amending Section 23-7.4 SFCC 1987 Relating to the Green Fees, City Sports Fields User Fees and Other Rates. (Ron Shirley)
- 13) CONSIDERATION OF BILL NO. 2003-24: ADOPTION OF ORDINANCE NO. 2003-____. (Finance Committee)
An Ordinance Amending Sections 12-6-6.1, 12-6-6.2, 12-6-6.3, 12-6-6.4, 12-6-6.5, 12-6-6.6, 12-6-6.7, 12-6-6.8, 12-6-6.9, 12-6-6.10, 12-6-6.11, 12-6-6.12, 12-6-6.14, 12-6-6.15, 12-6-8.4, 12-6-9.4, 12-9-3, 12-9-4, 12-9-5, 12-9-8 and 12-12-18 of the New Mexico Uniform Traffic Ordinance Relating to Parking Fines. (Vincent Lopez)

H. ADJOURN

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been addressed, the meeting should be reconvened at 7:00 p.m., the following day and shall be adjourned not later than 12:00 a.m.

NOTE: New Mexico law requires the following administrative procedures be followed when conducting “quasi-judicial” hearings. In a “quasi-judicial” hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross-examination. Witnesses have the right to have an attorney present at the hearing.

*Translator for the hearing impaired available through the City Clerk’s Office upon 5 days notice.